

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

BROCONE ORGANIC PRIVATE LIMITED,)	
)	
<i>Plaintiff,</i>)	
v.)	
)	Case No. 1:21-cv-1296 (PTG/JFA)
EPOCH CONSULTANT CO. LLC, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	
)	

ORDER

This matter comes before the Court on the August 12, 2022 Proposed Findings of Fact and Recommendations (“R&R”) from Magistrate Judge John F. Anderson regarding Plaintiff’s Motion for Default Judgment (Dkt. 29). Dkt. 33. Judge Anderson advised the parties that objections to the R&R must be filed within fourteen (14) days of service and failure to object waives appellate review. Dkt. 33 at 16. To date, no objections have been filed.

After reviewing the record and Judge Anderson’s Recommendations, and finding good cause, the Court hereby **APPROVES** and **ADOPTS** the findings Judge Anderson set forth in the R&R (Dkt. 33). Accordingly, it is

ORDERED that Plaintiff’s Motion for Default Judgment (Dkt. 29) is **GRANTED** as to Counts I, II, III, and IV; it is further

ORDERED that default judgment be **ENTERED** in favor of Plaintiff Brocone Organic Private Limited against Defendant Epoch Consultant Co. LLC and Defendant Nilesh Mehta (collectively, “Defendants”) as to Counts I, II, III, and IV; it is further

ORDERED that Defendants are permanently enjoined against making, using, selling, or offering for sale any products that infringe the BROCONE trademark at issue in this litigation; it

is further

ORDERED that Defendants withdraw United States Trademark Application No. 90528440 for the BROCONE mark; it is further


ORDERED that Plaintiff is awarded its attorneys' fees and costs incurred in this litigation. Plaintiff is directed to submit a fee affidavit, bill of costs, and/or other supporting documents in support of its award of attorneys' fees and costs within fourteen (14) days of entry of this Order; and it is further

ORDERED that Count V is dismissed without prejudice.

The Clerk of Court is directed to enter judgment in favor of the Plaintiff as set forth above, pursuant to Federal Rule of Civil Procedure 55.

It is **SO ORDERED**.

Dated: November 10th, 2022


United States District Judge
Patricia Tolliver Giles